

1 BRUCE NYE, SBN 77608
2 ADAMS | NYE | TRAPANI | BECHT LLP
222 Kearny Street, Seventh Floor
3 San Francisco, California 94108-4521
Telephone: (415) 982-8955
4 Facsimile: (415) 982-2042

5 Attorneys for Defendant
MAYTAG CORPORATION, erroneously sued herein as
6 WHIRLPOOL CORPORATION, d/b/a MAYTAG

7

8 **UNITED STATES DISTRICT COURT**

9 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

10

11 CALIFORNIA STATE AUTOMOBILE
ASSOCIATION, INTER-INSURANCE
12 BUREAU,

13 Plaintiff,

14 vs.

15 WHIRLPOOL CORPORATION, d/b/a/
16 MAYTAG and DOES 1 through 50, inclusive,

17 Defendant.

No. C 08-01633 WDB

18

19 **CERTIFICATE OF SERVICE**

20 (Alameda Superior Court No.: RG 08 373190)

21 Jury Trial Demanded

22

23 **CERTIFICATE OF SERVICE**

CERTIFICATE OF SERVICE

I, MARY KATHRYN EARLE, am over the age of eighteen years, not a party to the above-captioned matter, and employed by Adams | Nye | Trapani | Becht LLP, located at 222 Kearny Street, Seventh Floor, San Francisco, California 94108-4521, where the service described below took place on the date set forth below.

Person(s) Served:

Counsel For Plaintiffs:

**Robert E. Wall, Esq.
Laura Uddenberg, Esq.
Grunsky, Ebey, Farrar & Howell, PLC
240 Westgate Drive
Watsonville, California 95076**

Document(s) Served:

**NOTICE OF ASSIGNMENT OF CASE TO A
UNITED STATES MAGISTRATE JUDGE FOR TRIAL**

**ORDER SETTING INITIAL CASE MANAGEMENT CONFERENCE
AND ADR DEADLINES**

Manner of Service:

Mail: I am readily familiar with my employer's practice for the collection and processing of correspondence for mailing with the United States Postal Service: such correspondence is deposited with the United States Postal Service on the same day in the ordinary course of business in the county where I work. On the date set forth below, at my place of business, following ordinary business practices, I placed for collection and mailing by deposit in the United States Postal Service a copy of each Document Served, enclosed in a sealed envelope, with the postage thereon fully prepaid, each envelope being addressed to one of the Person(s) Served, in accordance with Code of Civil Procedure 1013(a).

Facsimile: I transmitted by facsimile a copy of each Document Served mentioned above to each Person Served mentioned above pursuant to Code of Civil Procedure 1013(e).

Personal service: I caused a copy of each Document Served to be hand delivered to each Person Served pursuant to Code of Civil Procedure 1011. If required, the actual server's original proof of personal service will be filed with the court.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated: March 28, 2008

Mary Kathryn Earle
MARY KATHRYN EARLE

1 BRUCE NYE, SBN 77608
2 ADAMS | NYE | TRAPANI | BECHT LLP
222 Kearny Street, Seventh Floor
3 San Francisco, California 94108-4521
Telephone: (415) 982-8955
Facsimile: (415) 982-2042

4
5 Attorneys for Defendant
MAYTAG CORPORATION, erroneously sued herein as
6 WHIRLPOOL CORPORATION, d/b/a MAYTAG

7
8 **UNITED STATES DISTRICT COURT**
9 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

10
11 CALIFORNIA STATE AUTOMOBILE
12 ASSOCIATION, INTER-INSURANCE
BUREAU,

13 Plaintiff,

14 vs.

15 WHIRLPOOL CORPORATION, d/b/a/
16 MAYTAG and DOES 1 through 50, inclusive,

17 Defendant.

18
19 No. C 08-01633 WDB

20
21 **EXHIBIT A TO THE**
CERTIFICATE OF SERVICE

22
23 (Alameda Superior Court No.: RG 08 373190)

24 Jury Trial Demanded

25
26 **EXHIBIT A TO THE**
CERTIFICATE OF SERVICE

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

NOTICE OF ASSIGNMENT OF CASE
TO A UNITED STATES MAGISTRATE JUDGE FOR TRIAL

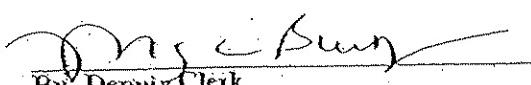
Pursuant to General Order 44, the Assignment Plan of the United States District Court for the Northern District of California, this case has been randomly assigned to Magistrate Judge WAYNE D. BRAZIL.

Pursuant to Title 28 U.S.C. § 636(c), with written consent of all parties, a magistrate judge may conduct all proceedings in the case. Attached is a form to complete if you consent to proceed before the assigned magistrate judge and a form to complete if you decline to proceed before the assigned magistrate judge. Electronic versions of both forms are also available at the Court's Internet site: <http://www.cand.uscourts.gov>. Click on Forms-Civil. A party is free to withhold consent without adverse consequences. If a party declines to consent, the case will be randomly reassigned to a district judge and a case management conference will be scheduled on the district judge's calendar as close as possible to the date presently scheduled before the magistrate judge.

You must file your consent or declination by the deadline for filing the initial case management statement.

The plaintiff or removing party shall serve a copy of this notice and all attachments upon all other parties to this action pursuant to Federal Rules of Civil Procedure 4 and 5.

FOR THE COURT
RICHARD W. WIEKING, CLERK


By Deputy Clerk

MARY ANN BUCKLEY

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

No. C

Plaintiff(s),

**CONSENT TO PROCEED BEFORE A
UNITED STATES MAGISTRATE JUDGE**

Defendant(s).

CONSENT TO PROCEED BEFORE A UNITED STATES MAGISTRATE JUDGE

In accordance with the provisions of Title 28, U.S.C. Section 636(c), the undersigned party
hereby voluntarily consents to have a United States Magistrate Judge conduct any and all further
proceedings in the case, including trial, and order the entry of a final judgment. Appeal from the
judgment shall be taken directly to the United States Court of Appeals for the Ninth Circuit.

Dated:

Signature

Counsel for _____
(Plaintiff, Defendant or indicate "pro se")

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

No. C

Plaintiff(s),

**DECLINATION TO PROCEED BEFORE
A MAGISTRATE JUDGE
AND
REQUEST FOR REASSIGNMENT TO A
UNITED STATES DISTRICT JUDGE**

v.
Defendant(s).

REQUEST FOR REASSIGNMENT TO A UNITED STATES DISTRICT JUDGE

The undersigned party hereby declines to consent to the assignment of this case to a United States Magistrate Judge for trial and disposition and hereby requests the reassignment of this case to a United States District Judge.

Dated: _____

Signature _____

Counsel for _____
(Plaintiff, Defendant, or indicate "pro se")

BRUCE NYE, SBN 77608
ADAMS | NYE | TRAPANI | BECHT LLP
222 Kearny Street, Seventh Floor
San Francisco, California 94108-4521
Telephone: (415) 982-8955
Facsimile: (415) 982-2042

Attorneys for Defendant
MAYTAG CORPORATION, erroneously sued herein as
WHIRLPOOL CORPORATION, d/b/a MAYTAG

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

CALIFORNIA STATE AUTOMOBILE
ASSOCIATION, INTER-INSURANCE
BUREAU.

Plaintiff,

vs.

WHIRLPOOL CORPORATION, d/b/a/
MAYTAG and DOES 1 through 50, inclusive,

Defendant.

No. C 08-01633 WDB

**EXHIBIT B TO THE
CERTIFICATE OF SERVICE**

(Alameda Superior Court No.: RG 08 373190)

Jury Trial Demanded

**EXHIBIT B TO THE
CERTIFICATE OF SERVICE**

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CSAA,

Plaintiff(s), *Plaintiff*

v.

WHIRLPOOL CORP.,
Defendant(s).

No. C 08-01633 WDB

**ORDER SETTING INITIAL CASE
MANAGEMENT CONFERENCE
AND ADR DEADLINES**

IT IS HEREBY ORDERED that this action is assigned to the Honorable Wayne D. Brazil. When serving the complaint or notice of removal, the plaintiff or removing defendant must serve on all other parties a copy of this order, the Notice of Assignment of Case to a United States Magistrate Judge for Trial, and all other documents specified in Civil Local Rule 4-2. Counsel must comply with the case schedule listed below unless the Court otherwise orders.

IT IS FURTHER ORDERED that this action is assigned to the Alternative Dispute Resolution (ADR) Multi-Option Program governed by ADR Local Rule 3. Counsel and clients shall familiarize themselves with that rule and with the material entitled "Dispute Resolution Procedures in the Northern District of California" on the Court ADR Internet site at www.adr.cand.uscourts.gov. A limited number of printed copies are available from the Clerk's Office for parties in cases not subject to the court's Electronic Case Filing program (ECF).

CASE SCHEDULE -ADR MULTI-OPTION PROGRAM

Date	Event	Governing Rule
3/26/2008	Notice of removal filed	
6/11/2008	*Last day to: <ul style="list-style-type: none"> • meet and confer re: initial disclosures, early settlement, ADR process selection, and discovery plan • file Joint ADR Certification with Stipulation to ADR Process or Notice of Need for ADR Phone Conference 	FRCivP <u>26(f)</u> & <u>ADR L.R.3-5</u> <u>Civil L.R. 16-8</u>
6/25/2008	*Last day to file Rule 26(f) Report, complete initial disclosures or state objection in Rule 26(f) Report and file Case Management Statement per attached Standing Order re Contents of Joint Case Management Statement (also available at http://www.cand.uscourts.gov)	FRCivP <u>26(a)(1)</u> <u>Civil L.R. 16-9</u>
7/2/2008	INITIAL CASE MANAGEMENT CONFERENCE (CMC) in Courtroom 4, Oakland at 4:00 PM	<u>Civil L.R. 16-10</u>

* If the Initial Case Management Conference is continued, the other deadlines are continued accordingly.

1
2
3
4
5
6
7 UNITED STATES DISTRICT COURT
8 NORTHERN DISTRICT OF CALIFORNIA
9

10 **STANDING ORDER**
11 **U.S. MAGISTRATE JUDGE WAYNE D. BRAZIL**
12

13 **Criminal Matters**
14

15 1. Subject to published Notices of Unavailability,¹ **the master criminal calendar**
16 for Oakland venued cases is held Monday through Friday, beginning at **10:00 a.m.**, in
17 Courtroom 4, Third Floor, United States Courthouse, 1301 Clay Street, Oakland,
18 California.

19
20 2. **Requests to add matters to or continue matters on the criminal calendar**
21 must be directed to Magistrate Judge Brazil's **Courtroom Deputy, Ivy Garcia**, at
22 **(510) 637-3639**.

23 The court will try to accommodate reasonable "last minute" requests to add
24 matters to the 10:00 a.m. criminal calendar. The court requests, however, that counsel,
25 the probation officer, or the pretrial services officer bring to court at least two extra

27 ¹Notices of Unavailability are posted in the clerk's office and published in the Recorder, the Daily
28 Journal, and on the Court's internet site at <http://www.cand.uscourts.gov>.

1 copies of any pertinent documents so that the parties and the judge will have the
2 information needed for the proceeding.

3 The clerk's office requires **24 hours notice** for all matters requiring an
4 **interpreter.**

5

6 3. Subject to published Notices of Unavailability, Magistrate Judge Brazil usually
7 is available Monday through Friday after the master criminal calendar -- typically,
8 about 11:15 a.m. -- **to review proposed criminal complaints or applications for**
9 **warrants.** Attorneys or agents who cannot present their papers at this time must call
10 Ms. Garcia, in advance, at (510) 637-3639, to determine when the Magistrate Judge
11 will be available to consider their requests.

12

13

14

Civil Matters

15

16 4. **Civil matters may be placed on the Magistrate Judge's calendar only by his**
17 **administrative law clerk, who can be reached at (510) 637-3324.** Before noticing
18 any matter on the Magistrate Judge's calendar, parties must reserve a specific date and
19 time with the administrative law clerk. In most instances, civil law and motion matters
20 are heard on Wednesday afternoons. Unless otherwise ordered in a particular matter,
21 motion practice is governed by the Civil Local Rules, which are available from the
22 Clerk's Office and on the court's internet site at: <http://www.cand.uscourts.gov>.

23

24 5. Except as noted in paragraph 6, below, **discovery disputes** will be handled
25 according to the provisions of the Civil Local Rules. Specific questions about
26 situations not addressed by the Local Rules may be directed to the administrative law
27 clerk at (510) 637-3324.

28

1 6. If a dispute arises during a discovery event the parties must attempt to resolve
2 the matter without judicial intervention by conferring in good faith. If good faith
3 negotiations between the parties fail to resolve the matter, and if disposition of the
4 dispute during the discovery event likely would result in substantial savings of expense
5 or time, counsel or a party may call the administrative law clerk at (510) 637-3324 to
6 determine whether Magistrate Judge Brazil is available to address the problem through
7 a telephone conference during the discovery event.

8
9 7. After the initial case management conference, parties usually **may elect to**
10 **appear by phone** at hearings or conferences in civil matters that do not involve the
11 taking of evidence or settlement negotiations. A party who wishes to appear by phone
12 must secure permission in advance from Judge Brazil's administrative law clerk. If
13 more than one party will appear by phone, the clerk will designate the party whose
14 counsel must initiate the conference call, get all parties on the line, then call the court's
15 **conference line at (510) 637-3326** at the time noticed for the appearance.

16
17 8. All filings related to civil motions referred to Magistrate Judge Brazil (i.e.,
18 motions in cases assigned for trial to another judge) must **set forth in the caption** or
19 prominently at the beginning of the filing the **civil case number and the District**
20 **Judge's initials followed by the designation "(WDB)".**

21
22 9. When **motions** have been referred to Judge Brazil by a **District Judge** who sits
23 in **San Francisco** the parties must file the original and a chambers copy of pertinent
24 documents in the Clerk's Office in San Francisco but also **must deliver an additional**
25 **copy directly to the Clerk's Office in Oakland for Judge Brazil.** See Civil Local
26 Rule 5-1(b).

27
28 10. **In all "E-Filing" cases:** when filing papers in connection with any motion for
determination by the judge, if the length of the motion (or opposition) and supporting

1 documents exceeds ten pages, the parties must, in addition to filing papers
2 electronically, lodge with chambers a printed copy of the papers by the close of the
3 next court day following the day the papers are filed electronically. These printed
4 copies must be marked "Chambers Copy" and must be submitted to the Clerk's Office,
5 in an envelope clearly marked with the judge's name, case number and "E-Filing
6 Chambers Copy." Parties shall not file a paper copy of any document with the Clerk's
7 Office that has already been filed electronically.

8

9 11. Motions for **summary judgment** must be accompanied by a statement of the
10 material facts not in dispute, supported by citations to admissible evidence. The parties
11 must file a joint statement of undisputed facts where possible. If the parties are unable
12 to reach complete agreement after meeting and conferring, they must file a joint
13 statement of the undisputed facts about which they do agree. Any party may then file
14 a separate statement of the additional material facts that the party contends are not
15 subject to genuine dispute.

16

17 12. **Unless specifically requested, the court does not provide a court reporter for**
18 **most pre-trial proceedings.** The court records the proceedings on audiotape, a copy
19 of which may be obtained by submitting a request to the clerk's office, accompanied
20 by a check for \$26.00 payable to the District Court. Each such request must include
21 the title and number of the case, as well as the date and time of the proceeding for
22 which a copy of the tape is requested.

23 A party who wishes to have a court reporter present for a pretrial
24 proceeding in a civil matter must notify Judge Brazil's administrative law clerk
25 (at 510-637-3324) at least two weeks before the date set for the proceeding.

26

27 13. Parties are reminded that most procedural questions are answered in the Federal
28 Rules of Civil Procedure, the Local Rules, or this Standing Order. Parties should not
contact Chambers for answers to procedural questions without first carefully examining

1 the **current** provisions of these authorities. Current versions of the Local Rules and
2 this Standing Order are published on the Court's internet site --
3 <http://www.cand.uscourts.gov>.

5 **Settlement Conferences**

6 14. Scheduling:

- 7 A. Settlement conferences hosted by Judge Brazil usually are held on
8 Monday, Tuesday, or Thursday afternoons beginning at either 1:00 p.m.
9 or 2:00 p.m. Participants are to appear in Courtroom 4 on the third floor
10 of the United States Courthouse at 1301 Clay Street in Oakland, CA.
- 11 B. To schedule a settlement conference, or to ask to move a settlement
12 conference already scheduled, counsel are to contact Judge Brazil's
13 Administrative Law Clerk by phone at (510) 637-3324.

14
15 15. **Counsel Must Meet and Confer, In Person or by Phone, Before Preparing Their**
16 **Written Settlement Conference Statements.**

17 No fewer than ten court days before the settlement conference, counsel for the
18 anticipated participants must meet and confer (in person or voice to voice) to discuss
19 matters pertinent to improving the prospects that the settlement negotiations will be
20 productive. In these discussions counsel may address any subjects they feel are
21 appropriate – but they must discuss the following:

- 22 A. Who will attend the conference on behalf of each party, identifying the
23 lawyer and the client representative, as well as any other persons.
- 24 B. Which persons or entities must approve a proposed settlement agreement
25 before it can be executed; the nature and duration of that approval
26 process; the standards or criteria generally applied in it; and any
27 foreseeable barriers to approval or special concerns that the approving
28 authority might want addressed.

- 1 C. Whether insurance is available to cover all or part of the claimed losses
2 or to fund all or part of any party's defense; whether tenders have been
3 made to any insurance companies; whether any insurer will have a
4 representative at the settlement conference and, if so, the name of and
5 position held by each such representative.
- 6 D. Whether it would be useful for settlement demands and/or offers to be
7 made before the settlement conference is convened; and whether the
8 parties might want to consider "structured settlements" and, if so, whether
9 experts in structuring settlements should develop proposals in advance
10 and/or attend the conference.
- 11 E. Whether there are particular documents or other tangible things that
12 should be brought to the conference (e.g., to educate the settlement judge
13 or to support or explain significant contentions).
- 14 F. Whether one or more of the parties will ask that the negotiations include
15 any non-monetary items and/or trades or payments in kind; if so, what any
16 such non-monetary items would be (e.g., reinstatement of employment, a
17 job-reassignment or promotion, retirement status or benefits, other fringe
18 benefits, a letter of recommendation, an apology, a joint venture, a buy-
19 out, a licensing agreement, providing products at no cost or discounts, a
20 press release, etc.).
- 21 G. Any unusual issues or factors that could come into play in the settlement
22 negotiations or any especially sensitive matters that other counsel should
23 be alerted to before the settlement conference.
- 24
- 25 16. Confidential Written Settlement Conference Statements:
- 26 A. Unless otherwise ordered, no fewer than seven (7) court days before the
27 settlement conference each party must deliver to the office of the Clerk
28 of the Court in Oakland (4th Floor, 1301 Clay Street) a Confidential
 Settlement Conference Statement that addresses all matters listed in

1 subparagraph C., below. **The caption must instruct the Clerk to lodge**
2 **but not file the Statement.**

3 *Failure to timely submit a settlement conference statement may result*
4 *in sanctions.*

- 5 B. Parties are not required to serve other parties with copies of their
6 Confidential Settlement Conference Statement.
- 7 C. The **Confidential Settlement Conference Statement**, which may not
8 exceed fifteen (15) pages of text and fifteen (15) pages of exhibits, **must**
9 **include** the following:
- 10 (I) a brief chronological statement of the facts of the case;
- 11 (ii) a brief statement of the principal claims and defenses;
- 12 (iii) a description of the major factual and legal issues that are in
13 dispute;
- 14 (iv) separately for each principal claim and defense, a forthright
15 evaluation of the likelihood that the party submitting the Statement
16 will prevail;
- 17 (v) the bases for any damages calculations, and a description of any
18 non-monetary relief sought or non-monetary components of
19 settlement offers or demands;
- 20 (vi) a summary of the proceedings to date and a description of any
21 pending motions;
- 22 (vii) an estimate of the expenses and fees that are likely to be incurred
23 in completing discovery, pretrial, and trial;
- 24 (viii) a history of past settlement negotiations (without revealing
25 communications whose disclosure to a settlement judge is
26 prohibited), a description of the principal obstacles (factual, legal,
27 or other) to reaching agreement, and the reasons the parties'
28 assessments of the case's settlement value differ;

- 1 (ix) each component of each party's most recently communicated
- 2 settlement demand or offer (describing specifically any non-
- 3 monetary terms that were demanded or offered);
- 4 (x) a settlement figure or terms that, given all the circumstances, is
- 5 realistic and that the party submitting the Statement would consider
- 6 seriously; and
- 7 (xi) a brief discussion of any of the subjects identified in Section II of
- 8 this Order that might be significant in the settlement dynamic.

9

10 17. Required Attendance at Settlement Conferences:

- 11 A. Lead trial counsel must appear at the Settlement Conference with the
12 parties and with the person or persons having full authority to negotiate
13 and to settle the case.
- 14 B. In all cases where an insurance company's agreement would be necessary
15 to achieve a settlement, the carrier's claims representative, with **full**
16 **authority** to negotiate up to the limits of coverage, also must attend the
17 Settlement Conference.
- 18 C. When a party's final authority to agree to terms of settlement is vested in
19 a governing body, at least **seven (7) court days** before the conference
20 counsel for that party must communicate in writing to Magistrate Judge
21 Brazil and to counsel for other parties how (through whom) the governing
22 body will appear. In addition, counsel must describe the procedure that
23 would be followed in securing that body's consideration of proposed
24 settlement terms.
- 25 D. A person **seeking to be excused from appearing in person** at a
26 settlement conference must deliver, **no fewer than seven (7) court days**
27 **before the conference**, a letter to the Magistrate Judge, simultaneously
28 delivering copies to all counsel. The letter must:

1 (I) explain in detail why attendance in person would impose an
2 extraordinary or otherwise unjustifiable hardship;
3 (ii) explain why the fact that the person would not attend in person
4 would have no adverse impact on the parties' and the court's ability
5 to pursue and achieve the purposes of a settlement conference;
6 (iii) state realistically the amount in controversy in the case;
7 (iv) indicate whether the other parties oppose or do not oppose the
8 request; and
9 (v) be accompanied by a proposed order.

10 E. Within two (2) court days of receiving a copy of another person's request
11 to be excused from attending a settlement conference in person, a party
12 who opposes the request must deliver (by fax or otherwise)
13 simultaneously to all other parties and to Magistrate Judge Brazil a
14 writing that details the grounds for the objection. Judge Brazil's fax
15 number is 510-637-3327.

16 F. **A party who is excused from appearing in person must be available**
17 **to participate by telephone throughout the conference. Failure to be**
18 **available for participation by phone for the full duration of the**
19 **conference may result in imposition of sanctions.**

20
21 18. Requests for Continuances:

22 A. Any request to continue a settlement conference must be submitted in
23 writing at least seven (7) court days in advance and only after consultation
24 with all other parties. The request must indicate whether it is joined or
25 opposed by the other parties.

26 B. If the date to which a continuance is sought would be past a deadline for
27 holding the settlement conference that was set by the judge to whom the
28 case is assigned for trial, the party seeking the continuance must secure
 permission from that judge to hold the settlement conference during the

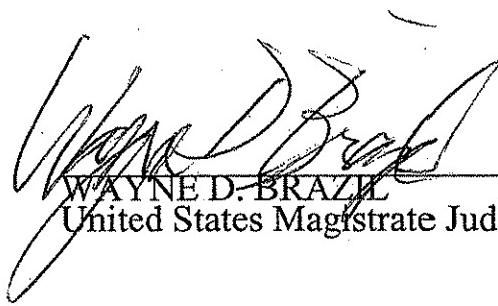
1 proposed new time frame before seeking the continuance from Magistrate
2 Judge Brazil. A writing evidencing the assigned judge's extension of the
3 deadline must accompany the party's request to Judge Brazil for the
4 continuance.

5
6 19. Notification that Case Terminated Before Settlement Conference.

7 The parties must notify Judge Brazil's administrative law clerk immediately if
8 they settle their case or it is otherwise terminated before the date set for the settlement
9 conference.

10 IT IS SO ORDERED.

11 Dated: 4/10/03

12 
WAYNE D. BRAZIL
United States Magistrate Judge

STANDING ORDER FOR ALL JUDGES OF THE NORTHERN DISTRICT OF CALIFORNIA

CONTENTS OF JOINT CASE MANAGEMENT STATEMENT

Commencing March 1, 2007, all judges of the Northern District of California will require the identical information in Joint Case Management Statements filed pursuant to Civil Local Rule 16-9. The parties must include the following information in their statement which, except in unusually complex cases, should not exceed ten pages:

1. **Jurisdiction and Service:** The basis for the court's subject matter jurisdiction over plaintiff's claims and defendant's counterclaims, whether any issues exist regarding personal jurisdiction or venue, whether any parties remain to be served, and, if any parties remain to be served, a proposed deadline for service.
2. **Facts:** A brief chronology of the facts and a statement of the principal factual issues in dispute.
3. **Legal Issues:** A brief statement, without extended legal argument, of the disputed points of law, including reference to specific statutes and decisions.
4. **Motions:** All prior and pending motions, their current status, and any anticipated motions.
5. **Amendment of Pleadings:** The extent to which parties, claims, or defenses are expected to be added or dismissed and a proposed deadline for amending the pleadings.
6. **Evidence Preservation:** Steps taken to preserve evidence relevant to the issues reasonably evident in this action, including interdiction of any document-destruction program and any ongoing erasures of e-mails, voice mails, and other electronically-recorded material.
7. **Disclosures:** Whether there has been full and timely compliance with the initial disclosure requirements of Fed. R. Civ. P. 26 and a description of the disclosures made.
8. **Discovery:** Discovery taken to date, if any, the scope of anticipated discovery, any proposed limitations or modifications of the discovery rules, and a proposed discovery plan pursuant to Fed. R. Civ. P. 26(f).
9. **Class Actions:** If a class action, a proposal for how and when the class will be certified.
10. **Related Cases:** Any related cases or proceedings pending before another judge of this court, or before another court or administrative body.
11. **Relief:** All relief sought through complaint or counterclaim, including the amount of any

damages sought and a description of the bases on which damages are calculated. In addition, any party from whom damages are sought must describe the bases on which it contends damages should be calculated if liability is established.

12. Settlement and ADR: Prospects for settlement, ADR efforts to date, and a specific ADR plan for the case, including compliance with ADR L.R. 3-5 and a description of key discovery or motions necessary to position the parties to negotiate a resolution.

13. Consent to Magistrate Judge For All Purposes: Whether all parties will consent to have a magistrate judge conduct all further proceedings including trial and entry of judgment.

14. Other References: Whether the case is suitable for reference to binding arbitration, a special master, or the Judicial Panel on Multidistrict Litigation.

15. Narrowing of Issues: Issues that can be narrowed by agreement or by motion, suggestions to expedite the presentation of evidence at trial (e.g., through summaries or stipulated facts), and any request to bifurcate issues, claims, or defenses.

16. Expedited Schedule: Whether this is the type of case that can be handled on an expedited basis with streamlined procedures.

17. Scheduling: Proposed dates for designation of experts, discovery cutoff, hearing of dispositive motions, pretrial conference and trial.

18. Trial: Whether the case will be tried to a jury or to the court and the expected length of the trial.

19. Disclosure of Non-party Interested Entities or Persons: Whether each party has filed the "Certification of Interested Entities or Persons" required by Civil Local Rule 3-16. In addition, each party must restate in the case management statement the contents of its certification by identifying any persons, firms, partnerships, corporations (including parent corporations) or other entities known by the party to have either: (i) a financial interest in the subject matter in controversy or in a party to the proceeding; or (ii) any other kind of interest that could be substantially affected by the outcome of the proceeding.

20. Such other matters as may facilitate the just, speedy and inexpensive disposition of this matter.